

Break the Glass Subcommittee Supplemental Information 8/20/2013

From “Patient Choice, Confidentiality and the Affordable Care Act” – Webinar presentation by Renee Popovits

Medical Emergency

If you have not elected to have your information available in an HIE (opted out), does a life threatening situation change your decision where you want the provider to have the information?

- A. Yes, I want the provider to “break the glass” and access whatever health information is necessary to treat my medical emergency = 33.1%
- B. Yes, I want the provider to “break the glass” and access whatever health information is necessary to treat my medical emergency, but I believe additional restrictions need to be places on the redisclosure on MH/SUD information = 53.2%
- C. No, once I decide to opt-out, my information should not be available for a provider to access even in a medical emergency regardless of the circumstances —12.9%

Self Pay Patients

45 CFR § 164.522 Rights to request privacy protection for protected health information.

(a)(1)(vi) A covered entity must agree to the request of an individual to restrict disclosure of protected health information about the individual to a health plan if: ... (B) The protected health information pertains solely to a health care item or service for which the individual, or person other than the health plan on behalf of the individual, has paid the covered entity in full.